

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Kevin Fernandez,)
)
Plaintiff,) **ORDER**
)
vs.)
)
State of North Dakota, et. al.,) Case No. 1:12-cv-161
)
Defendants.)

On May 30, 2014, defendants filed a motion requesting that the court postpone the final pretrial conference and trial in this matter pending its ruling on the parties' motions for summary judgment.

The court is inclined to postpone the final pretrial conference and trial as suggested by defendants. Such a postponement will not prejudice plaintiff as his complaint is based on alleged past incidents as opposed to ongoing violations.

Plaintiff's motion (Docket No. 168) is **GRANTED**. The final pretrial conference set for July 22, 2014, and trial set for August 5, 2014, are cancelled with the understanding that they shall be rescheduled as necessary once the court disposes of the parties' dispositive motions.

IT IS SO ORDERED.

Dated this 3rd day of June, 2014.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court